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Examiner Signature	<i>James J. Sheikh</i>	Date Considered	<i>10/27/05</i>
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO

(use as many sheets as necessary)

Sheet 2 of 2

Application Number	10/665,522
Filing Date	9/22/03
First Named Inventor	Stamm
Group Art Unit	1615
Examiner Name	H. SHEIKH
Attorney Docket Number	107664.115

[illegible]

**Examiner
Signature**

James P. Nichols

Date
Considered

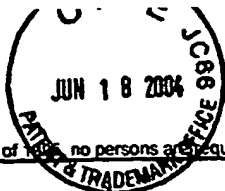
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 2**Complete if Known**

Application Number	10/665,522
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	1615
Examiner Name	H. SHEIKH
Attorney Docket Number	107664.115 US13

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
JS		US- 2004/0092597	05-13-2004	Stamm et al	
		US- 2004/0058005	03-25-2004	Stamm et al	
		US- 2004/0058004	03-25-2004	Stamm et al	
		US- 2004/0057999	03-25-2004	Stamm et al	
		US- 2004/0057998	03-25-2004	Stamm et al	
		US- 2004/0057997	03-25-2004	Stamm et al	
		US- 2003/0104060	06-05-2003	Stamm et al	
		US- 2003/0104051	06-05-2003	Stamm et al	
		US- 2002/0168413	11-14-2002	Stamm et al	
		US- 2002/0114839	08-22-2002	Stamm et al	
JS		US- 2002/0009496	01-24-2002	Stamm et al	
		US- 5,073,379	12-17-1991	Klimesch et al	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

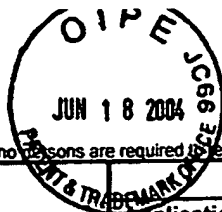
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
JS		EP 0 952 829 B1	03-05-2003	Stamm et al		
		EP 0 761 208 A1	03-12-1997	Duclos et al		
JS		WO 98/31361	07-23-1998	Stamm et al		
		WO 96/01621	01-25-1996	Stubberud et al		
		WO 82/01649	05-27-1982	Laruelle		

Examiner
Signature*James J. Dreibel*Date
Considered*10/27/05*

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PTO/SB/088 (08-03)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

2

Application Number

10/665,522

Filing Date

September 22, 2003

First Named Inventor

Stamm

Art Unit

1615

Examiner Name

H. SHEIKH

Attorney Docket Number

107664.115 US13

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
af		Complaint, US District Court for the District of Delaware, Civil Action No. 04-350, Reliant Pharmaceuticals v. Abbott Laboratories et al (1 June 2004).	
/		Opposition to EP 0 952 829 (December 11, 2003) (English language translation).	✓
/		Opposition to EP 0 952 829 (December 11, 2003) (original French language document).	
gk		Handbook of Pharmaceutical Excipients, Second Edition, pages 392-399 (1994).	

Examiner
Signature*Lumina Y Sheikh*Date
Considered

10/27/05

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

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Application Number	10/665,522
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First Named Inventor	Stamm
Art Unit	1615
Examiner Name	H. SHEIKH
Attorney Docket Number	107664.115 US13

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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**Examiner
Signature**

Sumera Y Sheikh

Date
Considered

10/27/08

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Appln. No.	10/665,522
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	1615
Examiner Name	H. SHEIKH
Attorney Docket Number	107664.115 US13

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Sumera H Sheikh

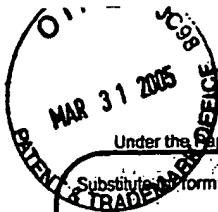
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**INFORMATION DISCLOSURE
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Application Number	10/665,522
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	1615
Examiner Name	H. SHEIKH
Attorney Docket Number	107664-115 US13

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
JS		Declaration under 37 CFR Section 1.132 by Pascale Blouquin (with attachments).	
JS		Laboratories Fournier's Lab Notebook No. 1 (18 February 1997 to 15 May 1997).	✓
JS		Laboratories Fournier's Lab Notebook No. 2 (16 May 1997 to 30 July 1997).	✓

Examiner Signature	<i>Pascale Blouquin</i>	Date Considered	10/27/05
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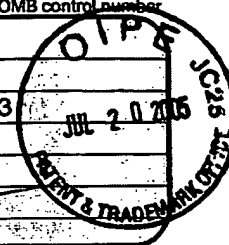
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Complete if Known

Application Number 10/665,522
Filing Date September 22, 2003
First Named Inventor Stamm
Art Unit 1615
Examiner Name H. S. HEIKH
Attorney Docket Number 107664.115 US13



U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
JS		US 4,344,934	08-17-1982	Martin et al	
		US 2005/0032878 A1	02-10-2005	Deboeck et al	
		US 4,961,890	10-09-1990	Boyer	
		US 6,159,499	12-12-2000	Seth	
		US 6,207,198 B1	03-27-2001	Seth	
		US 6,248,355 B1	06-19-2001	Seth	
		US 4,795,643	01-03-1989	Seth	
		US 5,824,341	10-20-1998	Seth et al	
		US 6,096,341	08-01-2000	Seth	
		US 6,033,686	03-07-2000	Seth	
		US 6,048,547	04-11-2000	Seth et al	
		US 6,117,453	09-12-2000	Seth et al	
		US 6,348,469 B1	02-19-2002	Seth	
		US 4,436,743	03-13-1984	Schonafinger et al	
		US 4,716,033	12-29-1987	Denick, Jr.	
		US 4,558,058	12-10-1985	Schonafinger et al	
		US 4,957,746	09-18-1990	Valducci	
		US 4,806,361	02-21-1989	Harrison et al	
		US 4,820,521	04-11-1989	Panoz et al	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
JS		WO 96/21439	07-18-1996	Galephar P.R. Inc.		
		WO 03/013500	02-20-2003	Laboratoires SMB SA		
		EP 0 012 523	06-25-1980	American Home Products		
		WO 97/12580	04-10-1997	Pharma Pass		
		EP 0 179 583	04-30-1986	Merck & Co.		
JS		EP 0 193 958	09-10-1986	PPG Industries, Inc.		

Examiner
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James M. Smith

Date
Considered

10/27/05

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STATEMENT BY APPLICANT**

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Application Number	10/665,522
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	1615
Examiner Name	H. SHEIKH
Attorney Docket Number	107664.115 US13

Sheet

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of

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
JS		Opposition to EP 952 829 by Winthrop Arzneimittel GmbH filed March 31, 2005.	
		Opposition to EP 952 829 by Laboratoires SMB S.A. filed April 11, 2005.	
		Papers filed on April 15, 2005, by Ethypharm in Response to Patent Proprietor's Statement for Opposition to EP 952 829.	
		Guichard et al, "A New Formulation of Fenofibrate: Suprabioavailable Tablets," Current Medical Research and Opinion, 16(2):134-138 (2000).	
		Kuchiki et al, "Stable Solid Dispersion System Against Humidity," Yakuzaigaku, 44(1):31-37 (1984).	
		Pharmaceutical Pelletization Technology, Ghebre-Sallassie, Ed., Marcel Dekker, Inc., New York, Chapters 7 & 10 (1989).	
		Giunchedi et al, International Journal of Pharmaceutics, 130:41-47 (1996).	
		Shah et al, International Journal of Pharmaceutics, 125:99-106 (1995).	
		Suzuki et al, Chem. Pharm. Bull. 49(4):373-378 (2001).	
JS		Sangalli et al, Boll. Chim. Farmaceutico, 128(7-8):242-247 (1989).	

Examiner Signature	<i>Sumera H. Sheikh</i>	Date Considered	10/27/05
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if KnownSheet **3** of **4**

Application Number	10/665,522
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	11015
Examiner Name	H. JHEIK
Attorney Docket Number	107664.115-US13

U. S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
JS		US- 4,663,150	05-05-1987	Panoz et al	
		US-			
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FOREIGN PATENT DOCUMENTS

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		Country Code ² Number ⁴ Kind Code ⁵ (if known)				
JS		WO 96/04892	02-22-1996	Pharma Pass		
		EP 0 122 077	10-17-1984	Elan Corp.		
		EP 0 164 959	12-18-1985	Sterwin AG		
		EP 0 168 360	01-15-1986	Valducci		
		EP 0 239 541	09-30-1987	Warner-Lambert Co.		
		EP 0 256 933	02-24-1988	Ethypharm		

Examiner
Signature*James A. Buehler*Date
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/665,522
		Filing Date	September 22, 2003
		First Named Inventor	Stamm
		Art Unit	1615
		Examiner Name	A. SHEIKH
Sheet 4 of 4	Attorney Docket Number		107664.115 US13

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
JS		European Pharmacopoeia, 3rd Edition, pages xiii-xvii and 127-131 (1996).	
		Remington's Pharmaceutical Sciences, 18th Edition, pages 1633-1665 (1985)	
		Handbook of Pharmaceutical Excipients, 2nd Edition, pages 48-87, 141-144, 229-232, 252-261, 280-282, 392-401, 424-427, 448-450, 462-469, 491-493 (1994).	
		The United States Pharmacopoeia, Vol. 23, pages liv-lvi, 1791-1793, 1924-1938 (1994).	
		International Dictionary of Medicine and Biology, Volume 2, page 1774, John Wiley & Sons, Inc. (1986).	
		Boullay, "Microgrinding and Dissolution," S.T.P. Pharma, 1(4):296-299 (1985). (French-language document and English-language translation)	✓
JS		CRC Handbook of Chemistry & Physics, 73rd Edition, Chapter 15, Page 32 (1992).	

Examiner Signature	<i>Sumera H. Sheikh</i>	Date Considered	10/27/05
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*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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